

THE DEPARTMENT of COMMUNITY DEVELOPMENT

City Hall, Lynchburg, VA 24504

434.455.3900

To: Planning Commission
From: Planning Division
Date: May 24, 2006
**RE: STREET DEDICATIONS REQUEST - TOWNE COMMONS, LOTS 1-13,
EXTENSIONS OF MILLSTONE ROAD, OFF MCCONVILLE ROAD AND
MILES PLACE, OFF MILLSTONE ROAD**

I. APPLICANT

Property Owner: Towne Commons, LLC, P.O. Box 4338, Lynchburg, VA 24502-0338

Representative: Thomas C. Brooks, Sr., Acres of Virginia, Inc., 404 Clay Street, Lynchburg, VA 24504

II. LOCATION

The subject property is two tracts of land containing a total of 7.133 acres located on the south side of Millstone Road and Miles Place. Millstone Road is off McConville Road, and Miles Place is off Millstone Road. The proposed new street extensions contain 1.017 acres located at the ends of Millstone Road and Miles Place.

III. PURPOSE

The purpose of the request is to dedicate 1.017 acres for rights-of-way for the proposed public street extensions of Millstone Road and Miles Place. The street extensions will serve 13 newly created lots for residential development.

IV. SUMMARY

- Request agrees with the Subdivision Ordinance requirements for dedicating public rights-of-way in an existing R-1, Low Density Single-Family Residential District.
- Request agrees with the Zoning Ordinance requirements for rights-of-way dedications.

The Planning Division recommends approval of the public street extensions request.

V. FINDINGS OF FACT

1. **Background.** Thomas C. Brooks, Sr., is requesting to dedicate 1.017 acres for rights-of-way for the proposed public street extensions of Millstone Road, which is located off McConville Road, and Miles Place, which is located off Millstone Road. Millstone Road, with fifty (50) feet of right-of-way, would extend from its present terminus in a southerly direction for approximately 300 feet to its terminus in a cul-de-sac surrounded by lots created by this subdivision. Miles Place, with fifty (50) feet of right-of-way, would extend from its present terminus in a southerly direction for approximately 300 feet to its terminus in a cul-de-sac surrounded by lots created by this subdivision.
2. **Zoning.** The subject property is zoned R-1, Low Density, Single-Family Residential District.
3. **Waivers.** No waivers from the Subdivision Ordinance will be needed for the street dedications request.

4. **Proposed Use of Property.** The street extensions would serve 13 newly created lots for residential single-family development.
5. **Technical Review Committee.** The Technical Review Committee (TRC) reviewed a preliminary subdivision plat on May 2, 2006. The TRC noted the need for several revisions, most of which are minor in nature and which are expected to be resolved by the applicant prior to the approval of a final plat. The TRC had the following comments of significance to the consideration of the requested street dedications:
 - “Separate road-water-sewer plans must be submitted to the Engineering Division for any infrastructure which will ultimately become the property of the City of Lynchburg.”
 - “Easements for water, sewer and drainage infrastructure must be included on this plat for approval. Typically this requires the design to be complete in order to know the location of these easements.”
 - “(It is recommended that the) Miles Place right-of-way be extended to the property line at Newtown Lot 26, Section 1.”
 - “Correct the water/sewer note to state that city water and sewer will be available to this property.”

VI. PLANNING DIVISION RECOMMENDED MOTION

Based on the proceeding findings of fact, the Planning Commission recommends to City Council approval of the dedication of the public street extensions of Millstone Road and Miles Place, both with fifty (50) feet of right-of-way, approximately 300 feet in length, to be constructed in substantial compliance with the plat by Acres of Virginia, Inc., dated April 12, 2006. The dedication of Millstone Road and Miles Place extensions and their acceptance as public streets are contingent on Towne Commons, LLC filing a properly executed subdivision plat to be recorded among the land records in the Office of the Clerk of the Circuit Court; the filing of approved street and utility plans and the necessary construction bonds with the City; and the construction of the streets in accordance with City standards. The failure to fully comply with these conditions shall render the City’s acceptance of Millstone Road and Miles Place as public street extensions null and void.

This matter is hereby offered for your consideration.

William T. Martin, AICP
City Planner

pc: Mr. L. Kimball Payne, III, City Manager
Mr. Walter C. Erwin, City Attorney
Mr. R. Douglas Dejarnette, Fire Marshal
Mr. J. Lee Newland, Director of Engineering
Lt. Danny R. Marks, Lynchburg Police Department Field Operations Bureau
Capt. Todd Swisher, Lynchburg Police Department North Division
Capt. H. W. Duff, Jr. Lynchburg Police Department East Division
Capt. Al Thomas, Lynchburg Police Department South Division

Mr. Gerry L. Harter, Traffic Engineer
Mr. Robert Drane, Building Commissioner
Mr. Keith Wright, Zoning Official
Mr. Robert S. Fowler, Zoning Official
Ms. Annette M. Chenault, Planner II
Ms. Nicole Gilkeson, Community Development Planner
Mr. Thomas C. Brooks, Sr., Representative

VII. ATTACHMENTS

1. "Plat Showing Lots 1-13 Towne Commons"

(see attached plat by Acres of Virginia, Inc., dated April 12, 2006)